

ENTERED

February 19, 2025

Nathan Ochsner, Clerk

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

WELLPATH HOLDINGS, INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 24-90533 (ARP)

(Jointly Administered)

**SUPPLEMENTAL STIPULATION AND AGREED ORDER
REGARDING THE SHANNON PLAINTIFFS' OBJECTION**

The above-captioned debtors and debtors in possession (collectively, the "Debtors") and William Balliet, Administrator of the Estate of Mary Ellen Balliet ("Balliet," and together with the Debtors, the "Parties") hereby enter into this stipulation and agreed order (this "Stipulation and Agreed Order") as follows:

WHEREAS, on June 11, 2024, Balliet brought suit against certain of the Debtors and other defendants (together with the Debtors, collectively, the "Defendants") in *Balliet v. Luzerne County et al.*, Case No. 3:22-cv-02032 in the U.S. District Court for the Middle District of Pennsylvania (the "Balliet Lawsuit");

WHEREAS, in the Balliet Lawsuit, Balliet asserts certain claims and causes of action against the Defendants related to the alleged inadequate medical care Mary Ellen Balliet received while in custody at Luzerne County Correctional Facility;

WHEREAS, the Debtors dispute any and all liability with regard to all of the claims or causes of action asserted by Balliet;

¹ A complete list of the Debtors (as defined below) in these chapter 11 cases may be obtained on the website of the Debtors' claims and noticing agent at <https://dm.epiq11.com/Wellpath>. The Debtors' service address for these chapter 11 cases is 3340 Perimeter Hill Drive, Nashville, Tennessee 37211.

WHEREAS, on November 11, 2024 (the “Petition Date”), the Debtors filed voluntary petitions for relief under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the Southern District of Texas (the “Court”);

WHEREAS, on November 12, 2024, the Debtors filed the *Debtors’ Emergency Motion for Entry of Interim and Final Orders to Enforce the Automatic Stay or in the Alternative Extend the Automatic Stay to Non-Debtor Defendants* [Docket No. 17] (the “Stay Extension Motion”) seeking extension of the automatic stay imposed by section 362(a) of the Bankruptcy Code to Non-Debtor Defendants (as defined in the Stay Extension Motion), and the Court entered the *Amended Interim Order Enforcing the Automatic Stay* [Docket No. 69] (the “Stay Extension Order”) staying all Lawsuits (as defined in the Stay Extension Motion) in their entirety, including claims against the Non-Debtor Defendants, on an interim basis;

WHEREAS, on December 2, 2024, various plaintiffs, including Balliet, represented by Shannon & Lee LLP filed the *Response of Certain Claimants to Debtors’ Emergency Motion for Entry of Interim and Final Orders to Enforce the Automatic Stay or in the Alternative Extend the Automatic Stay to Non-Debtor Defendants* [Docket No. 245] (the “Stay Extension Objection”) objecting to the relief sought in the Stay Extension Motion;

WHEREAS, on January 14, 2025, the Court entered the *Stipulated and Agreed Amended Order (I) Enforcing the Automatic Stay on a Final Basis with Respect to Certain Actions, (II) Enforcing the Automatic Stay on an Interim Basis with Respect to Certain Actions, (III) Extending the Automatic Stay on an Interim Basis to Certain Actions Against Non-Debtors, (IV) Setting a Final Hearing for the Interim Relief Granted Herein, and (V) Granting Related Relief* [Docket No. 962] (the “Second Stay Extension Order”);

WHEREAS, on February 3, 2025, the Court entered the *Stipulation and Agreed Order Regarding the Shannon Plaintiffs' Objection* [Docket No. 1227] (the "Shannon Stipulation") partially modifying the automatic stay imposed by section 362(a) of the Bankruptcy Code and extended to Non-Debtor Defendants in the Balliet Lawsuit pursuant to the Second Stay Extension Order as to Luzerne County, Chris Gale, T.J. Brown, William Wilk, LPN Biane Emmett, C.O. Robert Calvey, and LT. Kate Romiski in the Balliet Lawsuit;

WHEREAS, this Stipulation and Agreed Order is a supplement to and correction of the Shannon Stipulation.

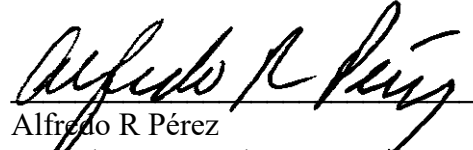
NOW, THEREFORE, IT IS STIPULATED AND AGREED:

1. The Parties agree that the automatic stay imposed by section 362(a) of the Bankruptcy Code and extended to Non-Debtor Defendants in the Balliet Lawsuit pursuant to the Second Stay Extension Order does not extend to claims or causes of action against Luzerne County, T.J. Brown, William Wilk, LPN Diane Emmett, C.O. Robert Calvey, LT. Kate Romiski, Shana Feichter, Chris Gale, Cheri Steever, Carleen Kendig, and Donald Fuller in the Balliet Lawsuit.

2. Except as set forth herein, the Second Stay Extension Order otherwise remains a fully enforceable order and the automatic stay's application to the Debtor and all other Non-Debtor Defendants (as defined in the Stay Extension Order) in the Balliet Lawsuit shall remain in full force and effect, including with respect to Wellpath, LLC, Holly Green, Nelzon Iannuzzi, Jade Talarico, and Nancy Somers.

3. This Court retains exclusive jurisdiction over any matter arising from or related to the implementation, interpretation, and enforcement of this Stipulation and Agreed Order.

Signed: February 19, 2025


Alfredo R Pérez
United States Bankruptcy Judge

STIPULATED AND AGREED TO THIS 14TH DAY OF FEBRUARY, 2025:

By: /s/ Marcus A. Helt

Marcus A. Helt (Texas Bar #24052187)

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